

Criminal Domestic Violence Remedies

Assault 4th Degree arrest in a domestic violence situation [KRS 431.005(2)(a)]

1. Assault 4th Degree

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2. Victim is:
Family member [KRS 403.720(2)] **OR**
Member of an unmarried couple [KRS 403.720(5)] **OR**
A person in a dating relationship [KRS 456.010(1)]

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Warrantless arrest for a misdemeanor that did not occur in your presence

Civil Domestic Violence Remedies

Protective Orders under KRS 403 apply to family members and members of an unmarried couple.

Domestic violence and abuse: KRS 403.720(1)
EPOs: KRS 403.730
DVOs: KRS 403.740

Protective Orders under KRS 456 apply to persons of a dating relationship, victims of sexual assault and victims of stalking .

Dating relationship: KRS 456.010(1)
Sexual assault: KRS 456.010(6)
Stalking: KRS 456.010(7)
Temporary Interpersonal Protective Orders (TIPOs): KRS 456.040 (equivalent to EPOs)
Interpersonal Protective Orders (IPOs): KRS 456.050 (equivalent to DVOs)

Foreign Protective Orders are the same both KRS 403 and KRS 456

Service and terms/conditions remain the same and are applicable to all protective orders.

Enforcement of ANY Protective Order

Applies to EPOs, DVOs, TIPOs, IPOs and FPOs

Establish probable cause for a violation of a protective order, SHALL arrest. KRS 431.015(1)(c).

